This application has been reviewed in light of the Office Action dated August 25, 2004. Claims 12-15, 27-30, and 42-45 are presented for examination, of which Claims 12, 27, and 42 are in independent form. Claims 1-11, 16-26, and 31-41 have been canceled, without prejudice or disclaimer of subject matter, and will not be mentioned further. Favorable reconsideration is requested.

Claims 12-15, 27-30, and 42-45 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,311,214 to Rhoades.

Applicant submits that independent Claims 12, 27, and 42, together with the claims depending therefrom, are patentably distinct from the cited prior art for at least the following reasons.

Claim 12 is directed to an access system including a receiving device and a control device. The receiving device receives an image picked up by an image pickup device, which is controlled based on a control command of a direction of the image pickup device, and information on the area where the image is picked up by the image pickup device, which is controlled in response to the control command. The control device determines whether the received image includes a predetermined image based on the information on the area where the image is picked up by the image pickup device, and executes processing for accessing an address corresponding to the predetermined image by referring to a memory storing an address corresponding to the picked-up image, based on a result of the determination.

Rhoads, as understood by Applicant, relates to optical user interfaces that sense digitally-encoded objects, and to systems which use such optical interfaces to control computers,

and to act as portals on networks. The optical sensor 12 in Fig. 1 is a digital camera that grabs frames of image data and stores the same in one or more frame buffers. The frames of image data are analyzed by a computer 14 for the presence of so-called "Bedoop data," which is any form of digital data encoding recognized by the system 10, data which initiates some action. Once detected, the system responds in accordance with the detected Bedoop data by initiating some local action, e.g., communicating with a remote computer over the internet. (See column 2, line 64, to column 3, line 12.)

At pages 5 and 6 of the Office Action, the Examiner cites (1) column 7, lines 43-47, (2) column 8, lines 58-67, and (3) column 9, lines 1-2, of Rhoads, as allegedly teaching "a control device for, when it is determined based on the information on the picked up image that the image received by said receiving device includes a pretermined image, executing processing for accessing an address corresponding to the predetermined image by referring to a memory storing an address corresponding to the picked-up image." Applicants disagree with the Examiner's reading of Rhoads.

To begin with, the Office Action does not point out what in the reference allegedly relates to accessing an address corresponding to a predetermined image included in a received image by referring to a memory storing an address corresponding to the picked-up image, even though that feature is recited in the original language of Claim 12. As such, the Office Action fails to state a proper rejection.

Moreover, the above portions of Rhoads cited by the Examiner appear to Applicant to relate merely to (1) various classes of Bedoop objects, i.e., Class/DNS ID, such classes collectively indicating to the system what sort of Bedoop data is on the object, (2) a UID

determining what response should be provided, and (3) launching a default Bedoop client application if Bedoop data of that particular CLASS/DNS is not recognized. Nothing has been found in Rhoads that would teach or suggest accessing an address corresponding to a predetermined image included in a received image by referring to a memory storing an address corresponding to the picked-up image, as recited in Claim 12. The Office Action fails to identify any specific feature in Rhoads meeting the terms of Claim 12.

Further, at page 5 of the Office Action, The Examiner cites column 4, lines 36-45, of Rhoads, as allegedly teaching "a receiving device for receiving an image picked up by an image pickup device and information on the picked up image." That portion of Rhoads discusses merely that for any system to decode steganographically encoded data from an object, the image of the object must be adequately focused on the digital camera's CCD (or other) sensor, and that since the camera is continuously grabbing and analyzing frames of data, the user can move the object towards - or away - from the sensor until the decoder succeeds in decoding the steganographically encoded data and issues a confirming Bedoop audio signal. However, Applicant submits that nothing in that portion of Rhoads would teach or suggest receiving an image picked up by an image pickup device, and information on the area where the image is picked up by the image pickup device, which is controlled in response to a control command, as recited in Claim 12.

Applicant submits that nothing has been found, or pointed out, in Rhoads that would teach or suggest receiving an image picked up by an image pickup device, which is controlled based on a control command of a direction of the image pickup device, and information on the area where the image is picked up by the image pickup device, which is

controlled in response to the control command, determining whether the received image includes a predetermined image based on the information on the area where the image is picked up by the image pickup device, and executing processing for accessing an address corresponding to the predetermined image by referring to a memory storing an address corresponding to the picked-up image based on a result of the determination, as recited in Claim 12.

Accordingly, Applicant submits that Claim 12 is allowable over Rhoads.

Independent Claims 27 and 42 each include similar features to those discussed above in connection with Claim 12, and, therefore, those claims also are believed to be patentable for at least the same reasons as discussed above.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

No petition to extend the time for response to the Office Action is deemed necessary for the present Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 06-1205.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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